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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/926,796	12/20/2001	Manfred Schroedl	P21760	8682

7055 7590 09/24/2003

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EXAMINER

LE, DANG D

ART UNIT PAPER NUMBER

2834

DATE MAILED: 09/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/926,796	<b>Applicant(s)</b> SCHROEDL, MANFRED	
	<b>Examiner</b> Dang D Le	<b>Art Unit</b> 2834	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 July 2003.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 29-98 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 29-98 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 11 July 2003 is: a) ☒ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All   b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                   | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                          | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>0502</u> | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 29-98 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Objections***

2. Applicant is advised that should claim 29 be found allowable, claim 81 will be objected to under 37 CFR 1.75 as being a substantial duplicate thereof. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 29, 31, 34, 40, 42-51, 55-58, 63, 64, 72-77, 79-85, 87-89, 91, and 93-95, rejected under 35 U.S.C. 102(b) as being anticipated by Winther (1,848,091).

Regarding claims 29, 81, and 82, Winther shows an electric motor system, comprising:

- At least a first electric motor comprising a first rotor (20) and a first stator ((A);

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- The first rotor being mechanically coupled to an engine (31);
- At least a second electric motor comprising a second rotor (9) and a second stator (B);
- The second rotor being mechanically coupled to a mechanical aggregate (C, D, L);
- The first and second stators being non-movably coupled to a casing (near 30); and
- An electronic power system (E, R, CS, 11),
- Wherein the first electric motor and the second electrical motor are electrically coupled to one another via the electronic power system in order to exchange electric power at a freely selectable voltage level (due to R).

Regarding claims 31, 34, 40, 42-51, 55-58, 63, 64, 72-77, 79-85, 87-89, 91, and 93-95, it is noted that Winther also shows all of the limitations of the claimed invention.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 30, 32, 33, 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Winther in view of Seguchi et al. (5,744,895).

Regarding claim 30, Winther shows all of the limitations of the claimed invention except for three-phase motor.

Seguchi et al. show three-phase motor for the purpose of balancing the output voltage.

Since Winther and Seguchi et al. are all from the same field of endeavor; the purpose disclosed by one inventor would have been recognized in the pertinent art of the others.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to make three-phase motor as taught by Seguchi et al. for the purpose discussed above.

Regarding claims 32, 33, 37, 52, 53, 59-62, 65-71, and 78, 90, 92, it is noted that Seguchi et al. also show all of the limitations of the claimed invention.

7. Claims 35 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Winther in view of Atkinson et al.

Regarding claims 35 and 36, Winther shows all of the limitations of the claimed invention except for the aggregate comprising at least one of a turbo-engine and a turbocharger.

Atkinson et al. show the aggregate comprising at least one of a turbo-engine and a turbocharger for the purpose of improving efficiency.

Since Winther and Atkinson et al. are all from the same field of endeavor; the purpose disclosed by one inventor would have been recognized in the pertinent art of the others.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include in the aggregate with at least one of a turbo-

engine and a turbocharger as taught by Atkinson et al. for the purpose discussed above.

8. Claims 38, 39 and 54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Winther in view of Rao.

Regarding claims 38 and 39, Winther shows all of the limitations of the claimed invention except for the first electric motor being at least one of integrated with the engine and integrated with a flywheel of the engine.

Rao shows the electric motor being at least one of integrated with the engine and integrated with a flywheel of the engine for the purpose of improving efficiency.

Since Winther and Rao are all from the same field of endeavor; the purpose disclosed by one inventor would have been recognized in the pertinent art of the others.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to integrate the first electric motor with the engine and integrated with a flywheel of the engine as taught by Rao for the purpose discussed above.

Regarding claim 54, it is noted that Rao also shows all of the limitations of the claimed invention.

9. Claim 86 is rejected under 35 U.S.C. 103(a) as being unpatentable over Winther in view of Lange.

Regarding claim 86, Winther shows all of the limitations of the claimed invention except for first and second circumferentially arranged stator holding members, the first stator being mounted on an outer circumferential surface of the first stator holding

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member and the second stator being mounted on an inner circumferential surface of the second stator holding member.

Lange shows first and second circumferentially arranged stator holding members (6, 7), the first stator being mounted on an outer circumferential surface of the first stator holding member and the second stator being mounted on an inner circumferential surface of the second stator holding member for the purpose of improving the winding structure.

Since Winther and Lange are all from the same field of endeavor; the purpose disclosed by one inventor would have been recognized in the pertinent art of the others.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to make first and second circumferentially arranged stator holding members, the first stator being mounted on an outer circumferential surface of the first stator holding member and the second stator being mounted on an inner circumferential surface of the second stator holding member as taught by Lange for the purpose discussed above.

10. Claims 96-98 are rejected under 35 U.S.C. 103(a) as being unpatentable over Winther in view of Ojima et al.

Regarding claim 96-98, Winther shows all of the limitations of the claimed invention except for the first rotor comprising a first axis and the second rotor comprising a second axis, and wherein the first and second axes are spaced apart from one another.

Ojima et al. show the first rotor comprising a first axis and the second rotor comprising a second axis, and wherein the first and second axes are spaced apart from one another for the purpose of making a multi-shaft electric motor.

Since Winther and Ojima et al. all from the same field of endeavor; the purpose disclosed by one inventor would have been recognized in the pertinent art of the others.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to make the first rotor with a first axis and the second rotor with a second axis, and wherein the first and second axes are spaced apart from one another as taught by Ojima et al. for the purpose discussed above.

### ***Conclusion***

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.



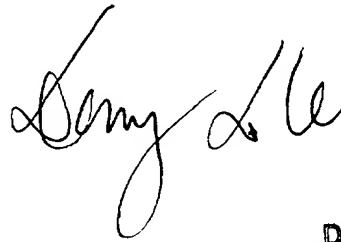
***Information on How to Contact USPTO***

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dang D Le whose telephone number is (703) 305-0156. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on (703) 308-1371. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9318 for regular communications and (703) 872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

9/11/03



**DANG LE**  
**PRIMARY EXAMINER**